REMARKS

This is a full and timely response to the outstanding final Office Action mailed October 4, 2006. Upon entry of the amendments in this response, claims 21, 25, 28 – 30, 32 – 34, 36 – 38, 41 – 43, 45 – 52, 54 – 62, and 65 – 69 remain pending. In particular, Applicants amend claims 21, 32, 41, 48, 54, 59, and 61. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Rejections Under 35 U.S.C. §103

A. Claim 21 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 21 stands rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,815,145 ("*Matthews*") in view of U.S. Patent Number 6,212,680 ("*Tsinberg*"). Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 21. More specifically, claim 21 recites:

> A method implemented by a digital home communication terminal (DHCT) for enabling a user to scroll through a plurality of video programs received via a plurality of transmission channels, comprising the steps of:
>
> tuning to a first plurality of transmission channels via a plurality of respective tuners;
>
> receiving a first plurality of video programs including a first video program and a second video program via the first plurality of transmission channels, wherein each of the first plurality of video programs comprises a plurality of time-sequential pictures;
>
> outputting the first plurality of video programs to a display device configured to simultaneously display the first plurality of video programs, wherein a first video program is displayed in a first video display area of the display device and a second video program is displayed in a second video display area of the display device;
>
> receiving via a tuner a program guide data including program information related to the first video program and program information related to the second video program and program information related to a third video program;
>
> outputting the program guide data to the display device simultaneously with the first plurality of video programs, wherein at least a portion of the program information related to the first video program is displayed at a location corresponding to the first video program and at

least a portion of the program information related to the second video program is displayed at a location corresponding to the second video program;

receiving, from a user, a request for program information related to at least one of the plurality of programs;

in response to receiving the user request for program information related to at least one of the plurality of programs, suspending, at the DHCT, at least one of the plurality of tuners from tuning to the respective transmission channels; and

utilizing the suspended tuner for receiving at least a portion of the requested program information. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "method implemented by a digital home communication terminal (DHCT) for enabling a user to scroll through a plurality of video programs received via a plurality of transmission channels, comprising the steps of… ***receiving, from a user***, a request for program information related to at least one of the plurality of programs… ***in response to receiving the user request for program information related to at least one of the plurality of programs, suspending, at the DHCT, at least one of the plurality of tuners from tuning to the respective transmission channels***… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 21, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "method implemented by a digital home communication terminal (DHCT) for enabling a user to scroll through a plurality of video programs received via a plurality of transmission channels, comprising the steps of… ***receiving, from a user***, a request for program information related to at least one of the plurality of programs… ***in response to receiving the user request for program information related to at least one of the plurality of programs, suspending, at the DHCT, at least one of the plurality of tuners from tuning to the respective transmission channels***… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as

recited in claim 21, as amended. Additionally, Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 21, as amended, is allowable over the cited art.

B. Claim 32 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 32 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 32. More specifically, claim 32 recites:

> A method for enabling the simultaneous viewing of video programs and related electronic program guide information, comprising:
>
> receiving a plurality of video programs substantially simultaneously by tuning to a plurality of transmission channels via a plurality of respective tuners, the plurality of video programs including a first video program and a second video program, wherein the first and second video programs each comprise a plurality of time-sequential pictures;
>
> receiving via a tuner a program guide data including program information related to the first video program and program information related to the second video program;
>
> receiving a first user input;
>
> responsive to receiving the first user input outputting to a display device a television signal comprising of a simultaneous visual presentation of the plurality of video programs with program guide data, wherein the first and second video programs are located in respective first and second video display areas of the visual presentation and the program guide data includes at least a portion of program information related to the first video program and at least a portion of program information related to the second video program,
>
> ***receiving, from a user, a request for program information related to at least one of the plurality of programs***;
>
> ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspending at least one of the plurality of tuners from tuning to the respective transmission channels; and
>
> utilizing the suspended tuner for receiving at least a portion of the requested program information. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "method for enabling the simultaneous viewing of video programs and related electronic program guide information, comprising… ***receiving, from a user, a request for program information related to at least one of the plurality of programs***… ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspending at least one of the plurality of tuners from tuning to the respective transmission channels… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 32, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "method for enabling the simultaneous viewing of video programs and related electronic program guide information, comprising… ***receiving, from a user, a request for program information related to at least one of the plurality of programs***… ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspending at least one of the plurality of tuners from tuning to the respective transmission channels… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 32, as amended. Additionally, Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 32, as amended, is allowable over the cited art.

C. Claim 41 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 41 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 41. More specifically, claim 41 recites:

A digital home communication terminal (DHCT) configured to enable a user to scroll through a plurality of video programs received via a plurality of transmission channels, comprising:

a plurality of tuners configured to substantially simultaneously tune to a first plurality of transmission channels carrying a first plurality of video programs including a first video program and a second video program;

memory configured to store executable instructions; and

at least one processor that is programmed by the executable instructions to enable the DHCT to:

output the first plurality of video programs to a display device configured to simultaneously display the first plurality of video programs, wherein a first video program is displayed in a first video display area of the display device and a second video program is displayed in a second video display area of the display device;

receive via at least one tuner a program guide data including program information related to the first video program and program information related to the second video program;

output the program guide data to the display device simultaneously with the first plurality of video programs, wherein at least a portion of the program information related to the first video program is displayed at a location corresponding to the first video program and at least a portion of the program information related to the second video program is displayed at a location corresponding to the second video program;

receive, from a user, a request for program information related to at least one of the plurality of programs;

in response to receiving the user request for program information related to at least one of the plurality of programs, suspend at least one of the plurality of tuners from tuning to the respective transmission channels; and

utilize the suspended tuner for receiving at least a portion of the requested program information. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "digital home communication terminal (DHCT) configured to enable a user to scroll through a plurality of video programs received via a plurality of transmission channels, comprising… at least one processor that is programmed by the executable instructions to enable the DHCT to… ***receive, from a user, a request for program information related to at least one of the plurality of programs***… ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspend at least one of the plurality of tuners from tuning to the respective transmission channels… [and] utilize the suspended tuner for receiving at least a portion of the requested program information" as

recited in claim 41, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "digital home communication terminal (DHCT) configured to enable a user to scroll through a plurality of video programs received via a plurality of transmission channels, comprising… at least one processor that is programmed by the executable instructions to enable the DHCT to at least one processor that is programmed by the executable instructions to enable the DHCT to… ***receive, from a user, a request for program information related to at least one of the plurality of programs***… ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspend at least one of the plurality of tuners from tuning to the respective transmission channels… [and] utilize the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 41, as amended. Additionally, Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 41, as amended, is allowable over the cited art.

D. Claim 48 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 48 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 48. More specifically, claim 48 recites:

> A method implemented by a digital home communication terminal (DHCT) having a plurality of tuners, comprising the steps of:
> receiving a first video program via a first tuner;
> receiving a second video program via a second tuner;
> receiving via at least one tuner a program guide data including program information related to the first video program and program information related to the second video program;
> receiving user input;

outputting the first and second video programs to a display device responsive to receiving the user input;

outputting at least a portion of program information related to the first and second video programs to the display device responsive to receiving the user input;

receiving, from a user, a request for program information related to at least one of the plurality of programs;

in response to receiving a request for program information related to at least one of the plurality of programs, suspending, at the DHCT, at least one of the first tuner and the second tuner from receiving a video program; and

utilizing the suspended tuner for receiving at least a portion of the requested program information,

wherein the first and second video programs and the program guide data are displayed simultaneously by the display device. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "method implemented by a digital home communication terminal (DHCT) having a plurality of tuners, comprising the steps of… ***receiving, from a user, a request for program information related to at least one of the plurality of programs*****…** ***in response to receiving a request for program information related to at least one of the plurality of programs***, suspending, at the DHCT, at least one of the first tuner and the second tuner from receiving a video program… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 48, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "method implemented by a digital home communication terminal (DHCT) having a plurality of tuners, comprising the steps of… ***receiving, from a user, a request for program information related to at least one of the plurality of programs*****…** ***in response to receiving a request for program information related to at least one of the plurality of programs***, suspending, at the DHCT, at least one of the first tuner and the second tuner from receiving a video program… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 48, as amended. Additionally,

Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 48, as amended, is allowable over the cited art.

E. Claim 54 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 54 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 54. More specifically, claim 54 recites:

> A digital home communication terminal (DHCT) configured to enable the simultaneous viewing of video programs and related electronic program guide information, comprising:
>
> a plurality of tuners configured to substantially simultaneously tune to a first plurality of transmission channels carrying a first plurality of video programs including a first video program and a second video program;
>
> at least one tuner configured to receive a program guide data including program information related to the first video program and program information related to the second video program;
>
> memory configured to store executable instructions and the program guide data; and
>
> at least one processor that is programmed by the executable instructions to enable the DHCT to:
>
> output the program guide data and the plurality of video programs simultaneously to a display device responsive to a first user input, wherein the first video program is displayed in a first video display area of the display device and the second video program is displayed in a second video display area of the display device, and wherein at least a portion of the program information related to the first video program is displayed at a location corresponding to the first video program and at least a portion of the program information related to the second video program is displayed at a location corresponding to the second video program,
>
> ***receive, from a user, a request for program information related to at least one of the plurality of programs***;
>
> ***in response to receiving a request for program information related to at least one of the plurality of programs***, suspend at least one of the plurality of tuners from tuning to the respective transmission channels; and
>
> utilize the suspended tuner for receiving at least a portion of the requested program information. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "digital home communication terminal (DHCT) configured to enable the simultaneous viewing of video programs and related electronic program guide information, comprising… at least one processor that is programmed by the executable instructions to enable the DHCT to… ***receive, from a user, a request for program information related to at least one of the plurality of programs***… ***in response to receiving a request for program information related to at least one of the plurality of programs***, suspend at least one of the plurality of tuners from tuning to the respective transmission channels… [and] utilize the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 54, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "digital home communication terminal (DHCT) configured to enable the simultaneous viewing of video programs and related electronic program guide information, comprising… at least one processor that is programmed by the executable instructions to enable the DHCT to… ***receive, from a user, a request for program information related to at least one of the plurality of programs***… ***in response to receiving a request for program information related to at least one of the plurality of programs***, suspend at least one of the plurality of tuners from tuning to the respective transmission channels… [and] utilize the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 54, as amended. Additionally, Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 54, as amended, is allowable over the cited art.

F. Claim 59 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 59 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this

rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 59. More specifically, claim 59 recites:

> A DHCT configured to provide a user with program information corresponding to television programs, comprising:
> at least one guide tuner configured to receive a program guide data including program information corresponding to a plurality of television programs scheduled on the first television channel;
> a plurality of program tuners configured to receive a plurality of television programs, wherein at least one television programs corresponds to a television program to be broadcast in the future on a first television channel;
> a first memory configured to store executable instructions; and
> at least one processor that is programmed by the executable instructions to enable the DHCT to output a television signal comprising a simultaneous visual presentation of the plurality television programs and program guide data, wherein at least a portion of the program information corresponding to each respective television program in the plurality of sequential television programs is included in the visual presentation,
> wherein the DHCT is configured to receive, from a user, a request for program information related to at least one of the plurality of programs, and
> wherein, ***in response to receiving the user request for program information related to at least one of the plurality of programs***, the DHCT is configured to ***suspend at least one of the plurality of program tuners from receiving the plurality of television programs*** and utilize the suspended tuner for receiving at least a portion of the requested program information. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "DHCT configured to provide a user with program information corresponding to television programs… wherein, ***in response to receiving the user request for program information related to at least one of the plurality of programs***, the DHCT is configured to ***suspend at least one of the plurality of program tuners from receiving the plurality of television programs*** and utilize the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 59, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "DHCT configured to provide a user with program information

corresponding to television programs… wherein, ***in response to receiving the user request for program information related to at least one of the plurality of programs***, the DHCT is configured to ***suspend at least one of the plurality of program tuners from receiving the plurality of television programs*** and utilize the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 59, as amended. Additionally, Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 59, as amended, is allowable over the cited art.

G. Claim 61 is Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claim 61 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claim 61. More specifically, claim 61 recites:

> A method for enabling the simultaneous viewing of video programs and related electronic program guide information, comprising:
> receiving a plurality of video programs substantially simultaneously by tuning to a plurality of transmission channels via a plurality of respective tuners, the plurality of video programs including a first video program and a second video program, wherein the first and second video programs each comprise a plurality of time-sequential pictures;
> receiving via a tuner a program guide data including program information related to the first video program and program information related to the second video program;
> configuring a memory to output the first plurality of video programs;
> configuring an output buffer in the memory with the first video program and the second video program;
> configuring the output buffer with a plurality of program information sections including a first program information section for at least a portion of the program information related to the first video program and a second program information section for at least a portion of the program information related to the second video program;
> configuring the location of the video section and program information section in the output buffer for each respective video program;
> outputting the output buffer to a display device,

receiving, from a user, a request for program information related to at least one of the plurality of programs;

in response to receiving the user request for program information related to at least one of the plurality of programs, suspending, at the DHCT, at least one of the plurality of tuners from receiving the plurality of video programs; and

utilizing the suspended tuner for receiving at least a portion of the requested program information. ***(emphasis added)***

Applicants respectfully submit that the cited art fails to disclose, teach, or suggest a "method for enabling the simultaneous viewing of video programs and related electronic program guide information, comprising… ***receiving, from a user, a request for program information related to at least one of the plurality of programs*** … ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspending, at the DHCT, at least one of the plurality of tuners from receiving the plurality of video programs… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 61, as amended. More specifically, *Tsinberg* appears to disclose a CPU configured for "tuning and re-tuning of PIP tuner 8… until CPU 6 has collected EPG information from all the channels" (column 6, line 47). Applicants respectfully submit that this is different than a "method for enabling the simultaneous viewing of video programs and related electronic program guide information, comprising… ***receiving, from a user, a request for program information related to at least one of the plurality of programs*** … ***in response to receiving the user request for program information related to at least one of the plurality of programs***, suspending, at the DHCT, at least one of the plurality of tuners from receiving the plurality of video programs… [and] utilizing the suspended tuner for receiving at least a portion of the requested program information" as recited in claim 61, as amended. Additionally, Applicants submit that *Matthews* fails to overcome the deficiencies of *Tsinberg*. For at least these reasons, claim 61, as amended, is allowable over the cited art.

H. Claims 25, 28 – 30, 33 – 34, 36 – 38, 42 – 43, 47, 49 – 52, 55 – 58, 60, 62 and 66 – 69 are Allowable Over *Matthews* in view of *Tsinberg*

The Office Action indicates that claims 25, 28 – 30, 33 – 34, 36 – 38, 42 – 43, 47, 49 – 52, 55 – 58, 60, 62 and 66 – 69 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg*. Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* fails to disclose, teach, or suggest all of the elements of claims 25, 28 – 30, 33 – 34, 36 – 38, 42 – 43, 47, 49 – 52, 55 – 58, 60, 62 and 66 – 69. More specifically, dependent claims 25 and 28 – 30 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 21. Dependent claims 33 – 34 and 36 – 38 are believed to be allowable for at least the reason that they depend from allowable independent claim 32. Dependent claims 42 – 43 and 47 are believed to be allowable for at least the reasons that they depend from allowable independent claim 41. Dependent claims 49 – 52 are believed to be allowable for at least the reasons that they depend from allowable independent claim 48. Dependent claims 55 – 58 are believed to be allowable for at least the reasons that they depend from allowable independent claim 54. Dependent claims 60 and 65 – 69 are believed to be allowable for at least the reasons that they depend from allowable independent claim 59. Dependent claim 62 is believed to be allowable for at least the reasons that it depends from allowable independent claim 61. *In re Fine*, *Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

I. Claim 65 is Allowable Over *Matthews* in view of *Tsinberg* in further view of *Alexander*

The Office Action indicates that claim 65 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg* in further view of U.S. Patent Application 6,177,931 ("*Alexander*"). Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* in further view of *Alexander* fails to disclose, teach, or suggest all of the elements of claim 65. More specifically, dependent claim 65 is believed to be

allowable for at least the reason that this claim depends from allowable independent claim 59. *In re Fine*, *Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

J. Claim 46 is Allowable Over *Matthews* in view of *Tsinberg* in further view of *Meyer*

The Office Action indicates that claim 46 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Matthews* in view of *Tsinberg* in further view of U.S. Patent Application 4,809,069 ("*Meyer*"). Applicants respectfully traverse this rejection for at least the reason that *Matthews* in view of *Tsinberg* in further view of *Meyer* fails to disclose, teach, or suggest all of the elements of claim 46. More specifically, dependent claim 46 is believed to be allowable for at least the reason that this claim depends from allowable independent claim 41. *In re Fine*, *Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

II. Allegedly Inherent Subject Matter

In addition, in rejecting claims 28, 36, and 58, the Office Action asserts that "Matthews inherently scales down the resolution of the tiled programs in figure 4" (*e.g.*, page 6, last paragraph) Applicants respectfully traverse the finding of inherency. It is well established that "[t]o establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *In Re Anthony J. Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2D (BNA) 1949, 1950-51 (Fed. Cir. 1999).

Applicants respectfully submit that the Office Action fails to adequately establish that the subject matter of claims 28, 36, and 58 is necessarily present. As the Office Action fails to

provide any extrinsic evidence that makes clear that the missing descriptive matter is necessarily present, Applicants respectfully submit that inherency has not been established. In accordance with *In re Robertson*, Applicants traverse the inherency finding, and submit the claims 28, 36, and 58 are allowable over the cited art.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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